

Graduation is Right Around the Corner – Are you Ready?

June 4, 2021

We know that graduation is an exciting time for students as they prepare to enter the next chapter of their lives; but, before this chapter ends, there are also several legal requirements that charter schools should keep in mind before sending these students past their schoolhouse doors. Here we have compiled a list of the top 5 areas that charter schools should pay attention to as graduation approaches.

Before graduating a student, charter schools should consider the following:

1. Has the Student Fulfilled the Minimum High School Graduation Requirements?

Education Code section 51225.3 lists several graduation requirements that students must fulfill before receiving their high school diploma. The state mandated course requirements are:

- Three (3) years of English
- Two (2) years of mathematics (including Algebra I)
- Three (3) years of social science (including U.S. history and geography; world history, culture, and geography; one semester of American government; and one semester of economics)
- Two (2) years of science (including biology and physical science)
- Two (2) years of physical education
- One (1) year of foreign language, visual and performing arts, or career technical education.

While charter schools are not required to follow these graduation requirements, many schools elect to align graduation standards with the Education Code. We recommend reviewing your school's charter to determine what high school diploma requirements are listed. Many schools also have a graduation board policy which fleshes out the classes/units needed to obtain a diploma, special school requirements (additional courses, volunteer requirements, etc.), and/or the option of commencement participation.

2. Is the Student a Homeless, Foster, or Mobile Youth?

Homeless, foster, or mobile youth who transfer to the charter school any time after the completion of their second year of high school are exempt from any of the charter school's graduation requirements that are in excess of the California minimum graduation requirements specified in the Education Code section 51225.3, above. However, this exception does not apply if the charter school makes a finding that the student is reasonably able to complete the charter school's graduation requirements by the end of the student's fourth year of high school as specified in Education Code Section 51225.1. Therefore, charter schools should have a meeting with all homeless, foster, and mobile youth prior to graduation to appropriately determine whether they are on track to fulfill the graduation requirements. Charter schools are required to also have a board policy in place outlining the special rules and protections for homeless, foster, and mobile youth.

3. Is the Student Receiving Special Education Services?

Prior to graduation, charter schools should hold an individualized education program ("IEP") meeting with all graduating seniors to ensure that the students have: (1) met the necessary graduation requirements as outlined by the charter school and/or within the student's IEP, and (2) met the goals outlined in their IEPs, including postsecondary goals based on age-appropriate assessments related to education, employment, training, and/or independent living skills. If students are not meeting these goals and objectives, the charter school could possibly remain obligated to provide further services. If students are not on track to meet graduation requirements and IEP goals, the student will remain eligible under the Individuals with Disabilities in Education Act until graduation with a high school diploma or age 22 whichever comes first.

4. Has the Student Turned 18?

In California, the age of majority is 18; therefore, all education rights automatically transfer to students when they turn 18 years old (absent a court order). For special education students, notice of this transfer of rights must be timely provided to the student and the student's parents. Once educational rights transfer to the student, there are several significant implications including: (1) giving the student access to their own educational records, (2) giving the student the right to consent to special education assessments and changes to the student's IEP, (3) allowing students to sign in/out of school for attendance or consent to field trips; and (4) the end of compulsory education requirements.

5. Is the Student Applying to a UC or State School?

For all students that are applying to undergraduate programs including University of California (“UC”) schools and/or California state university (“CSU”) schools, it is important to note that UCs and CSUs are not requiring ACT or SAT scores for admission for the 2021-2022 school year. CSU has stated that “this temporary change of admission eligibility applies only for fall 2021, winter 2022, spring 2022, fall 2022, winter 2023, and spring 2023 admission cycles.” For the UCs, SAT or ACT scores will not be used in determining admission for entry between the fall of 2021 and the spring of 2025.

If you have any questions regarding this update, or need assistance with updating your student and family handbook, school policies, or website to meet legal requirements, please contact [Lisa Corr](#), [Matejka Handley](#) or [Casey Fee](#), or any other member of our Student Services team at the Law Offices of Young, Minney & Corr, LLP at (916) 646-1400.



Lisa Corr,
Partner
lcorr@mycharterlaw.com
(916) 646-1400



Matejka Handley,
Senior Counsel
mhandley@mycharterlaw.com
(916) 646-1400



Casey Fee,
Senior Counsel
cfee@mycharterlaw.com
(916) 646-1400